

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NETRATINGS, INC.,)
)
)
Plaintiff,)
)
)
v.) Civil Action No. 05-314-GMS
)
)
COREMETRICS, INC.,)
)
)
Defendant.)

UNOPPOSED MOTION AND PROPOSED ORDER

WHEREAS, the parties to this case have settled their disputes;

WHEREAS, the court has conducted a Markman hearing, but has not yet entered a claim construction order or entertained summary judgment motions;

WHEREAS, the Court on August 2, 2006 entered an order (D.I. 123) requesting further briefing from the parties on the issues presented at the claim construction hearing; and

WHEREAS, the parties settled their differences before the Court had the opportunity to consider the requested further briefing and issue its final conclusions and rulings thereon.

For the foregoing reasons, NetRatings, Inc. hereby moves the Court to enter the attached order vacating Docket Item 123 in connection with the dismissal of this case, which will be filed separately. This motion is not opposed by Defendant, Coremetrics, Inc.

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Dated: October 27, 2006

CERTIFICATE OF SERVICE

I, Karen E. Keller, hereby certify that on October 27, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such document is available for viewing and downloading to the following counsel of record:

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I further certify that on October 27, 2006, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated.

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